TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1 5 6 2 . 3 . C , 1 (301.1) to permit a side yard setback of 3 feet in lieu of the required 7.5 fact

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- 1. Bad weather protection for incapacited spouse from automobile to house entrance
- 2. Protection from weather for automobile and house; also for visitors

waiting to be admitted at side door. 3. Weather protection for outdoor activities. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): Contract Purchaser: Charles J. Restivo (Type or Print Name, (Type or Print Name) Signature Ruth M. Restivo (Type or Print Name) Phone: 747-2468 by for Petitioner: 5900 Sunset Avenue e or Print Name) Catonsville, Maryland 21207 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Charles J. Restivo

ORDERED By The Zoning Commissioner of Baltimore County, this ____10th____ day of February, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that 'he public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the ____9th ____ day of __April _____, 19.81 , at9:30 __ o'clock

Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204

March 6, 1981

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

HARRY J. PISTEL, P. E. DIRECTOR

Re: Item #141 (1980-1981) Property Owner: Charles J. & Ruth M. Restivo N/ES Sunset Avenue 125.4' N/W of Ingleside Avenue Acres: 60.21 x 130.5 District: 1st

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

00

This property comprises Lots 50, 51 and 52, Block 9 "Catonsville Cardens", recorded W.P.C. 6, Folio 157.

Baltimore County highway and utility improvements are not directly involved.

Sunset Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Fire hydrants are located on Hilltop Avenue, and on Sunset Avenue, approximately 850 feet southeasterly of this property.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 141 (1980-1981).

RAM: EAM: FWR: SS cc: Jack Wimbley, William Munchel L-SE & K-SW Key Sheets 1 & 2 NW 20 & 21 Pos. Sheets NW 1 E & 1 F Topo 95 Tax Map

-

RE: PETITION FOR VARIANCE NE/S of Sunset Ave., 125.41 NW of Ingleside Ave., 1st District

> CHARLES J. RESTIVO, et ux, **Petitioners**

: Case No. 81-173-A

ORDER TO ENTER APPEARANCE

::::::

Mr. Commissioner:

pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

: BEFCRE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

I HEREBY CERTIFY that on this 18th day of March, 1981, a copy of the aforegoing Order was mailed to Mr. and Mrs. Charles J. Restivo, 5900 Sunset Averue, Catonsville, Maryland 21207, Petitioners.

John W. Hessian, III

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 NORMAN E. GERBER DIRECTOR

March 11, 1981

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of clanning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #141, Zoning Advisory Committee Meeting, February 10, 1981, are as follows:

Property Owner: Charles Jand Ruth M. Restivo Location: NE/S Sunset Avenue 125.4' N/W of Ingleside Avenue Acres: 60.21 X 130.5 District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John Zermbler John L. Wimbley Planner III Current Planning and Development

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 27, 1981

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Nicholas B. Commodari Chairman

MEMBERS

RE: Item No. 141 Petitioner-Charles J. Restivo, et ux Variance Petition

5900 Sunset Avenue

Mr. & Mrs. Charles J. Restivo

Baltimore, Maryland 21207

Bureau of Engineering Department of Traific Engineering State Roads Commissio

Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration Industrial

Development

Dear Mr. & Mrs. Restivo: The Zoning Plans Advisory Committee has reviewed the plans

submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to legalize the setback of the existing carport on the side of your dwelling, this variance is required. Particular attention should be afforded to the comments of the Department of Permits and Licenses, and you may contact Mr. Ted Burnham at 494-3987 for additional explanation.

Enclosed are all commerts submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

> Very truly yours. NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

NBC:bsc

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF HEALTH BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204 DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

March 16, 1981

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

With regard to ZAC meeting of February 10, 1981,

this department has no comment on items #137 thru 141 as well as item #143 and #144.

Very truly yours,

Quelier I there -Michael S. Flanigan Engineer Associate II

MSF/bza

baltimore county

(301) 434-3550

STEPHEN E. COLLINS DIRECTOR

department of traffic engineering TOWSON, MARYLAND 21204

141

March 16, 1981

Mr. William E. Hammond Zoning Commissioner Office of Planning and Zoning Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 141, Zoning Advisory Committee Meeting of February 10, 1981, are as follows: Property Owner: Charles T. and Ruth M. Restivo

NE/S Sunset Avenue 125.4' N/W of Ingleside Location: Existing Zoning: D.R 5.5

Proposed Zoning: Variance to permit a side yard setback of 3' in lieu of the required 7.5' 60.21X 130.5 Acres: District:

Metropolitan water and sewer exist, therefore, no health hazards are anticipated.

> Iam J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

Very truly yours,

IJF/kc

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would would would appearing result in practical difficulty and unreasonable hardship upon the Petitioper(s) and containing of

the variance(s) requested walk will not adversely affect the healt., safety, and general welfare of the community, the variance(s) should should should should should should should should should be granted. Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of April , 19 81, that the herein Petition for Variance(s) to permit a side yard setback of 3 feet in lieu of the required 7.5 feet should be and the same is

GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Department of Public Works and the Office of

Planting and Zoning.

Deputy Zoning Commissioner of Baltimore County

March 9, 1981

NOTICE OF HEARING

RE: Petition for Variance - NE/S Sunset Ave., 125.4* NW of Ingleside Avenue - Case No. 81-173-A

9:30 A.M.

Mr. & Mrs. Charles J. Restivo

Catonsville, Maryland 21207

5900 Sunset Avenue

1 No V V . 101

WOIT CONTENT ATTICACTOR

all feeling return to

Thursday, April 9, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE

TOWSON, MARYLAND

BALTIMORE COUNTY
) FIRE DEPARTMENT TOWSON, MARYLAND 21204

PAUL H. REINCKE CHIEF

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building

Towson, Marylan 21204 Attention: Nick Commodali, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Charles J. & Ruth M. Restivo

Location: NE/S Sunset Avenue 125.4' N/W of Ingleside Avenue

Zoning Agenda: Meeting of Feb. 10,1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

March 6, 1981

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ______ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

XX) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

All trust percei of land in the First District of Baltimoro County Beginning at a point 125.4' northwest of Ingleside Avenue, on the nurthwest 356 St ownies Ave-tee nurthwest 356 St ownies Ave-

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Noted and Stage Miller Mapproved:

Planning Group

Special Inspection Division

yland.
The Zoning Commissioner of Bal-timore County, by authority of the Zoning Act and Regulations of Ball-more County, will hold a public haar-

ring: Petition for Variance to permit a side yerd setback of 3 feet in issued to required 7.5 feet.

The Zoning Regulation to be excepted as follows:
Section 1802.3.C.1 (301.1) - side

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR. February 20, 1981

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #1141Zoning Advisory Committee Maeting, February 10, 1981

Property Owner: Charles J. & Ruth M. Restivo

Location: NES Sunset Avenue 125.4' N/W of Ingleside Avenue D.R. 5.5 Proposed Zoning: Variance to permit a side yard setback of 3' in lieu of the

required 7.5'. 60.21 X 130.5

District: lst The items checked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1978,

X B. A building/ _____permit shall be required before beginning construction. C. Residential: Three sets of construction trawings are required to file a permit

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

In wood frame construction an exterior wall erected within 6' 0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0 of lot line. A minimum 8" masonry firewall is required if construction

F. Requested variance conflicts with the Baltimore County Building Code,

A chan, f occupancy shall be applied for, along with an alteration permit applicat, n, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require

Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214.

X 1. Comments Carport roof if over a L/12 pitch shall be capable of supporting a 20 lb. live load, under L/12 it shall support a 30 lb. live load design.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construct as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

DALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND ZONNG COMMISSIONER

April 20, 1981

Mr. & Mrs. Charles J. Restivo 5900 Sunset Avenue Baltimore, Maryland 21207

> RE: Petition for Variance NE/S of Sunset Ave., 125.4' NW of Ingleside Ave. - 1st Election District Charles J. Restivo, et ux - Petitioners NO. 81-173-A (Item No. 141)

Dear Mr. & Mrs. Restivo:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hessian, III, Esquire People's Counsel

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland -- 21204

Date: February 9, 1981

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: February 10, 1981

RE: Item No: 137, 138, 139, 140, 141, 142, 143, 144 Property Owner: Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

On lich tereal Wm. Nick Petrovich, Assistant Department of Planning

Very truly yours,

5900 SUNSET AVENUE CATONSVILLE, MARYLAND

Beginning at a point 125.4' northwest of Ingleside Avenue, on the northeast side of Sunset Avenue, Being lots Nos. 50, 51 and 52, block 9 as shown on a plat of CATONSVILLE GARDENS, which plat is recorded among the land records of Baltimore County in Plat Book WPC No. 6, Folio 157, otherwise known as 5900 Sunset Avenue.

CALL DODIE RELIGIT

Office of

Columbia, MD 21044

THIS IS TO CERTIFY, that the annexed advertisement of

weekly newspapers published in Baltimore County, Maryland,

once a week for ____one ____ successive weeks before

the 26th day of March 19_81 that is to say,

the same was inserted in the issues of March 19

1st District, Side Yard Setback

Petition for Variance

was inserted in the following:

☼ Catonsville Times

Arbutus Times

COLUMBIA PUBLISHING CORP.

By Cathy Keller

Ist District ZONING: Petition for Variance for side yard setback LOCATION: Northeast side of Sunset Avenue, 125.4 feet Northwest of Ingleside Avenue DATE & TIME: Thursday, April 9, 1981 at 9:30 A.M. PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a side yard setback of 3 feet in lieu of the required 7.5 feet The Zoning Regulation to be excepted as follows: Section 1802.3.C.1 (301.1) - side yard setbacks All that parcel of land in the First District of Baltimore County Being theproperty of Charles J. Restivo, et ux, as shown on plat plan filed with the Zoning Department Hearing Date: Thursday, April 9, 1981 at 9:30 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,	Petition for Variance for side yard setback Northeast side of Sunset Avenue, 125.4 feet Northwest of Ingleside Avenue Petitioner- Charles J. Restivo, et ux First District HEARING: Thursday, April 9, 1981 (9:30 A.M.) There are no comprehensive planning factors requiring comment on this petition. Norman E. Gerber, Director Office of Planning and Zoning	BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE Mr. W. E. Hammond Zoning Commissioner Norman E. Gerber, Director Office of Planning and Zoning SUBJECT. Petition No. 81=173-A Item 141 Petition for Variance for side yard setback Northeast side of Sunset Avenue, 125.4 feet Northwest of Ingleside Avenue Petitioner- Charles J. Restivo, et ux First District HEARING: Thursday, April 9, 1981 (9:30 A.M.) There are no comprehensive planning factors requiring comment on this petition. The comment of the properties of Planning and Zoning	CASTON SET AVENUES GASSES CONTROL SO SUSSET AVEN CATONSVILLE, NO. 2005 CONTROL SO SUSSET AVEN CATONSVILLE, NO. 2
BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY Er. & Mrs. Charles J. Restive 5900 Sunset Avenue Catonsville, Karyland 21207	NEG:JGH:ab	NEG:JGH:ab	INGLESIDE ANE. A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received and accepted for filing this	CERTIFICATE OF PUBLICATION Ist DISTRICT ZONING: Petition for Variance for side yard estance and side yard estance and side of successful to the control of innested a versue post of innested a versue post of innested a versue post of innested a versue. Town 108. Country Office Building: 111 W. Maryland The Zoning Commissioner of Baltimore Country. Mod. group published in The JEFFERSONIAN, a weekly newspaper printed inners Country with hold a public behavior of variance to permit a side yard settance of 3 feet in lite of the required 75 feet group of the country of the section 1802 act (1901)—side yard settance of land in the First District of Baltimore Country. Mod. group country in Flat Book WPC Section 1802 act (1901)—side yard settance and the of Sunet Avenue Lieing lots Nos. 90. 81 and 82. block a shown on plat ment of with the Zoning Department of with the Zoning Department of with the Zoning Department of William Country of the Building. Ill W. Cheenpeake Avenue, Vowen. Maryland Both of Building. 111 W. Cheenpeake Avenue, Vowen. Maryland Both of Building. 111 W. Cheenpeake Avenue, Vowen. Maryland Both of Building. 111 W. Cheenpeake Avenue, Vowen. Maryland Both of Building. 111 W. Cheenpeake Avenue, Vowen. Maryland Both of Building. 111 W. Cheenpeake Avenue, Vowen. Maryland Baltimore Country Mar. 12	PETITION MAPPING PROGRESS SHEET FUNCTION Wall Map Griginal Duplicate Iracing 200 Sheet dote by date by date by date by date by Descriptions checked and outline plotted on map	BALTIMORE COUNTY. MARYLAND OFFICE OF FINANCE-REVENUE DIVISION MISCELLANEOUS CAAH RECEIPT DATE 4/9/81
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received this Add day of Fohms 198/* Filing Fee \$ 25.00 Received: Check Cash Other William E. Hammond, Zoning Commissioner Petitioner Laber Radio Submitted by Chales Lation Petitioner's Attorney Reviewed by Chales Lation *This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.	E COUNTY, MARYLAND PSINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE_March 9, 1981 ACCOUNT 01-662 AMOUNT \$25.00 RECEIVED Charles J. Restivo FOR: Filing Fee for Case No. 81-173-4 VALIDATION OR SIGNATURE OF CASHIER	CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland Date of Posting 3-21-8/ Posted for: Larance Petitioner: Charles J. Restro, et us Location of property: NE/S sharest Annual 125-4 NW Of Chigheials Annual Location of Signs: Front of 5900 Sharest Annual Approx. 150/W of Chagleside Annual Remarks: Posted by Stephen Larant Signature Date of return: 3-27-8/ Number of Signs:	